

CASE UNSEALED PER ORDER OF COURT

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

September 2013 Grand Jury

'14 CR 1448 DMS

UNITED STATES OF AMERICA,

Case No. _____

Plaintiff,

I N D I C T M E N T

v.

HENRY ADDO (1),

Title 18, U.S.C., Sec. 1349 -
Conspiracy to Commit Mail Fraud
and Wire Fraud; Title 18, U.S.C.,
Sec. 1341 - Mail Fraud; Title 18,
U.S.C., Sec. 1343 - Wire Fraud;
Title 18, U.S.C., Sec. 2 - Aiding
and Abetting; Title 18, U.S.C.,
Sec. 1028A - Aggravated Identity
Theft; Title 18, U.S.C.,
Sec. 981(a)(1)(C) and
Title 28, U.S.C., Sec. 2461(c) -
Criminal Forfeiture

aka Amah,

aka Amma,

aka Armah,

EDMUND SESHIE (2),

aka Eddie Bay,

ABDUL REZAK SHAIB (3),

aka Zak,

Defendants.

The Grand Jury charges, at all times material:

INTRODUCTORY ALLEGATIONS

1. From at least 2011 until present, defendant HENRY ADDO, a Ghanaian citizen, resided in Accra, Ghana.

2. From at least 2011 until present, defendant EDMUND SESHIE, a Ghanaian citizen, resided in Columbus, Ohio. SESHIE resided legally in the United States as a legal permanent resident. SESHIE is ADDO's first cousin.

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WMC:JPME:nlv(4):San Diego
5/23/14

1 MATT

1 3. From at least 2011 until present, defendant ABDUL REZAK
2 SHAIB, a naturalized United States citizen who was born in Ghana,
3 resided in New York, New York.

4 4. "Sakawa" is a widespread practice in Ghana which combines
5 modern internet-based fraud practices targeting foreigners with
6 traditional African religious rituals.

7 5. "Carders" are criminals who buy, sell, and trade online
8 stolen credit card data on the black market.

9 6. "Carder sites" are internet websites that offer stolen
10 credit cards for sale in bulk. Purchases of stolen credit card data
11 on "carder sites" can be fine-tuned according to the type of card,
12 bank name, and country. Purchasers can also search for additional
13 personal information about the card holders, including address, email
14 address, phone number, and date of birth.

15 7. D.D and S.M., C.S., S.V., M.M., and L.C., are actual card
16 holders whose identities were stolen no later than July 20, 2011.

17 8. A "chargeback" or a "reversal" is the return of funds to a
18 consumer, mainly used in the United States, forcibly initiated by the
19 issuing bank of the credit or debit card used by a consumer to settle
20 a debt. Specifically, it is the reversal of a prior outbound transfer
21 of funds from a consumer's bank account, line of credit, or credit
22 card. Holders of credit cards issued in the United States are
23 afforded reversal rights by Regulation Z of the Truth in Lending Act
24 and United States debit card holders are guaranteed reversal rights by
25 Regulation E of the Electronic Fund Transfer Act. Similar rights
26 extend globally, pursuant to the rules established by the
27 corresponding card association or bank network. Chargebacks provide a
28 means of reversal of unauthorized transfers due to identity theft.

1 9. Autotrader.com is an online marketplace for car shoppers and
2 sellers. It aggregates millions of new, used, and certified second-
3 hand cars from thousands of dealers and private sellers.

4 10. "Magic Jack" is a Voice over Internet Protocol ("VOIP")
5 communication service that utilizes an Internet connection to provide
6 phone service. It allows the user to make free local and long
7 distance telephone calls. The customer purchases the "Magic Jack"
8 device and then registers it over the Internet, after putting the
9 device into the computer communications port. A phone number is
10 assigned for the user when the device is registered.

11 11. A Non-Vessel Operating Common Carrier ("NVOCC") is a company
12 licensed by the Federal Maritime Commission ("FMC") that is bonded and
13 insured for purposes of exporting goods in foreign commerce.

14 Count 1

15 18 U.S.C. § 1349

16 CONSPIRACY TO COMMIT MAIL FRAUD AND WIRE FRAUD

17 12. The allegations contained at paragraphs 1 through 11 are
18 realleged and incorporated by reference.

19 13. Beginning on a date unknown, but no later than October 2011,
20 and continuing until at least February 2013, within the Southern
21 District of California and elsewhere, defendants HENRY ADDO, aka Amah,
22 aka Amma, aka Armah, EDMUND SESHIE, aka Eddie Bay, and ABDUL REZAK
23 SHAIB, aka Zak, did knowingly and intentionally conspire with each
24 other and with others known and unknown to the grand jury to commit
25 the crimes of mail fraud; in violation of Title 18, United States
26 Code, Section 1341, and wire fraud, in violation of Title 18, United
27 States Code, Section 1343.

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Purpose of the Conspiracy

2 14. The purpose of the conspiracy was to defraud United States-
3 based automobile dealerships by using stolen credit card information
4 and counterfeit identification documents in order to fraudulently
5 purchase vehicles and ship them to Ghana for resale before the
6 dealerships received chargebacks for the fraudulent purchases or the
7 identity theft victims learned of the crime.

Manner and Means

9 15. To accomplish this purpose, it was part of the conspiracy
10 that defendants HENRY ADDO, EDMUND SESHIE, and ABDUL REZAK SHAIB:

- a. purchased stolen credit card information, including card-holder name, card number, expiration date, and billing information, from carder websites located in foreign countries, including Singapore;
 - b. manufactured counterfeit driver's licenses based on the stolen credit card information, including counterfeit driver's licenses for D.D. and S.M.;
 - c. identified used cars for sale on Autotrader.com and automobile dealership websites;
 - d. used Magic Jack VOIP to place interstate and international phone calls to communicate among themselves and with victim dealerships;
 - e. assumed the identity of the stolen credit card holders and provided the stolen credit card information to victim dealerships during phone calls;
 - f. negotiated the purchase of used cars with victim dealerships and then transmitted to the victim dealerships via interstate and international email and

1 facsimile, copies of the counterfeit driver's licenses
2 and credit cards in order to fraudulently obtain the
3 used vehicles;

- 4 g. falsified sales contracts by forging the signatures of
5 the stolen credit card holders, and then transmitted
6 the sales contracts to the victim dealerships via
7 Federal Express, email, and facsimile;
- 8 h. used stolen credit card information to pay United
9 States-based automobile transportation companies to
10 deliver the fraudulently purchased vehicles to various
11 staging locations throughout the United States,
12 including Columbus, Ohio, where defendant EDMUND SESHIE
13 took possession of several fraudulently purchased
14 vehicles, and New York, New York, where defendant ABDUL
15 REZAK SHAIB took possession of several fraudulently
16 purchased vehicles, before said vehicles were
17 ultimately shipped to New Jersey;
- 18 i. paid a NVOCC to ship the fraudulently procured
19 vehicles, via commercial cargo container from ports in
20 New Jersey, including the Port of New Jersey in
21 Elizabeth, New Jersey, to various destinations
22 overseas, including the Port of Tema in Accra, Ghana,
23 before the victim dealerships received a chargeback
24 from the credit card issuers based on the identity
25 theft;
- 26 j. sold the fraudulently obtained vehicles in various
27 countries, including Ghana; and

1 k. defendant HENRY ADDO motivated his United States-based
2 coconspirators, including defendants EDMUND SESHIE and
3 ABDUL REZAK SHAIB, to participate in the conspiracy by
4 invoking Sakawa.

5 16. In furtherance of the conspiracy and to effect and
6 accomplish the objects thereof, the following overt acts, among
7 others, were committed within the Southern District of California, and
8 elsewhere:

9 a. On or about July 27, 2012, defendant HENRY ADDO used a
10 stolen credit card to fraudulently purchase a 2009
11 Toyota Camry for \$17,669.88 from the Team Kia
12 Automobile Dealership in El Cajon, California;

13 b. On or about August 1, 2012, defendant EDMUND SESHIE
14 used Federal Express to send a forged sales contract in
15 the name of D.D. from Columbus, Ohio, to El Cajon,
16 California, to complete the sale of the 2009 Toyota
17 Camry.

18 c. On or about August 9, 2012, defendant HENRY ADDO used a
19 stolen credit card to fraudulently pay a transportation
20 company in Los Angeles, California, to deliver the 2009
21 Toyota Camry fraudulently purchased from Team Kia to
22 Columbus, Ohio.

23 d. On or about August 14, 2012, defendants HENRY ADDO and
24 EDMUND SESHIE corresponded via email about the 2009
25 Toyota Camry fraudulently purchased from the Team Kia
26 Automobile Dealership in El Cajon, California.
27 Specifically, defendant HENRY ADDO stated, "[D]a Camry
28 is coming," and after discussing another fraudulently

1 purchased vehicle, defendant EDMUND SESHIE replied,
 2 " [I]f only you can be able to tell me the [C]amry will
 3 be here on time."

- 4 e. On or about August 22, 2012, during a consensually
 5 recorded call with undercover law enforcement agents,
 6 defendant HENRY ADDO (while pretending to be D.D.)
 7 spoke about the timing of the delivery of the 2009
 8 Camry, defendant ADDO's payment to a transportation
 9 broker, and the delivery of the fraudulently acquired
 10 car to "J.D.," his brother.
- 11 f. On or about August 22, 2012, shortly after the phone
 12 call with ADDO and the undercover agent, defendant
 13 EDMUND SESHIE met with undercover agents posing as
 14 employees of the transportation company and took
 15 possession of the 2009 Toyota Camry fraudulently
 16 purchased from the Team Kia Automobile Dealership in
 17 El Cajon, California.
- 18 g. On or about the dates set forth in the chart below,
 19 defendants HENRY ADDO, EDMUND SESHIE, and ABDUL REZAK
 20 SHAIB fraudulently purchased or attempted to purchase
 21 used vehicles from the United States-based automobile
 22 dealerships using the manner and means discussed above:

Date	Automobile Dealership	Vehicle Type	Purchase Price
10/3/2011	Kolar Toyota - Duluth, MN	2002 Toyota Corolla	\$3,990
11/29/2011	Palm Beach Toyota - West Palm Beach, FL	2007 Acura RDX	\$14,500
12/1/2011	Buy Here Autos - Marietta, GA	2007 Toyota Corolla	\$10,762
12/5/2011	Peggy's Auto Sales - Hendersonville, TN	2008 Dodge Caliber	\$7,818

	Date	Automobile Dealership	Vehicle Type	Purchase Price
1	12/6/2011	KG Motors - Westchester, OH	2010 Toyota Corolla	\$12,240
2	12/6/2011	Precision Toyota - Tucson, AZ	2011 Toyota Corolla	\$18,300
3	12/7/2011	Hardee Auto Sales - Conway, SC	2007 Toyota Corolla	\$8,160
4	12/7/2011	TW Auto Sales - Murray, UT	2007 Toyota Corolla	\$9,000
5	12/8/2011	Express Auto Sales - Lexington, KY	2007 Toyota Corolla	\$8,223
6	12/8/2011	Auto Assets - Powell, OH	2006 Toyota Corolla	\$7,610
7	12/13/2011	Community Motors - Hammond, LA	2008 Toyota Tacoma	\$13,770
8	12/16/2011	Cars on Broadway - Englewood, CO	2009 Toyota Corolla	\$11,350
9	12/19/2011	DarCars Toyota - Frederick, MD	2009 Toyota Corolla	\$10,188
10	1/7/2012	Woody Buick GMC - Elgin, IL	2009 Toyota Corolla	\$12,090
11	1/24/2012	Enumclaw Auto Exchange - Enumclaw, WA	2006 Toyota Corolla	\$7,177
12	2/10/2012	Ethan Hunt Automotive - Mobile, AL	2009 Toyota Camry	\$15,000
13	2/19/2012	Auto Fair Honda - Plymouth, MA	2009 Toyota Camry	\$14,722
14	2/21/2012	Maximum Auto Outlet - Manasas Park, VA	2011 Toyota Camry	\$15,150
15	3/2/2012	Matthews Ford - Broken Arrow, OK	2010 Toyota Camry	\$15,665
16	3/2/2012	Miami Lakes Auto Mall - Miami, FL	2009 Toyota Camry	\$12,013
17	3/22/2012	Avondale Auto - Avondale, AZ	2007 Honda CRV	\$19,847
18	4/4/2012	Nations Truck Center - Sanford, FL	2005 Mercedes C230	\$16,036
19	4/19/2012	Berman's Automotive - Baltimore, MD	2010 Toyota Camry	\$18,750
20	4/21/2012	Morrie's Automotive Group - Golden Valley, MN	2010 Toyota Camry	\$14,690
21	4/25/2012	Morrie's Automotive Group - Golden Valley, MN	2009 Toyota Camry	\$14,993
22	5/29/2012	Tomlinson Motor Company - Gainesville, FL	2009 Hyundai Tucson	\$15,435
23	5/30/2012	Holt Chrysler - Arlington, TX	2008 Dodge Caliber	\$8,693
24	6/20/2012	Longmont Auto Brokers - Longmont, CO	2009 Dodge Caliber	\$8,900

	Date	Automobile Dealership	Vehicle Type	Purchase Price
1	6/20/2012	Dan Cummins Chevrolet - Davis, KY	2011 Toyota RAV 4	\$16,000
2	6/21/2012	JNM Automotive - Leesburg, VA	2005 Toyota Corolla	\$8,300
3	7/31/2012	O'Hara Motors - Fallmouth, MA	2010 Honda Insight	\$16,250
4	8/1/2012	Heritage Nissan - Rome, GA	2009 Nissan Rouge	\$14,324
5	8/1/2012	Lewis and Clark Ford - Yankton, SD	2009 Nissan Rouge	\$11,900
6	8/3/2012	Veterans Ford - Metairie, LA	2006 Honda Civic	\$5,000
7	8/3/2012	Lute Riley Honda - Richardson, TX	2009 Toyota Camry	\$11,557
8	8/3/2012	Dodge Country - Killeen, TX	2010 Hyundai Elantra	\$14,569
9	8/3/2012	Gillman Chevrolet - San Benito, TX	2011 Hyundai Elantra	\$15,167
10	8/8/2012	Wilkes Nissan - Wilkesboro, NC	2009 Nissan Murano	\$15,893
11	8/10/2012	Critz Mercedes Benz - Savannah, GA	2013 Mercedes Benz C250	\$39,730
12	8/22/2012	Mercedes Benz of Silver Spring - Silver Springs, MD	Mercedes Benz C-Class	\$40,000
13	10/2/2012	Killeen Toyota - Killeen, TX	2006 Toyota Corolla	\$9,300
14	11/5/2012	Dan Cummins Chevrolet - Paris, KY	2011 Toyota Camry	\$13,897

All in violation of Title 18, United States Code, Section 1349.

Count 2

18 U.S.C. § 1341

MAIL FRAUD

17. The introductory allegations contained at paragraphs 1 through 11 as well as the allegations contained at paragraphs 15 and 16 of this Indictment are realleged.

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1 18. Beginning on a date unknown, but no later than October 2011,
2 and continuing until at least February 2013, within the Southern
3 District of California and elsewhere, defendants HENRY ADDO, aka Amah,
4 aka Amma, aka Armah, EDMUND SESHIE, aka Eddie Bay, and ABDUL REZAK
5 SHAIB, aka Zak, with the intent to defraud, devised and intended to
6 devise a scheme to defraud as to material matters and to obtain money
7 and property by means of materially false and fraudulent pretenses,
8 representations, and promises, and the concealment of material facts.

9 19. The allegations contained at paragraphs 14 through 16 of
10 this Indictment are realleged as more fully describing the scheme.

MAILINGS IN FURTHERANCE OF THE SCHEME

12 20. For the purpose of executing and attempting to execute the
13 above-described scheme, on or about the following date, within the
14 Southern District of California and elsewhere, defendants HENRY ADDO,
15 aka Amah, aka Amma, aka Armah, EDMUND SESHEE, aka Eddie Bay, and ABDUL
16 REZAK SHAIB, aka Zak, caused to be delivered by private and commercial
17 interstate carrier according to directions thereon, the following
18 matter:

Count	Date	Sender Location	Recipient Location	Item
2	8/1/2012	Columbus, OH	Team Kia Automobile Dealership El Cajon, California	Forged Sales Contract for 2009 Toyota Camry

All in violation of Title 18, United States Code, Sections 1341 and 2.

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Counts 3-4

18 U.S.C. § 1343

WIRE FRAUD

21. The introductory allegations contained at paragraphs 1 through 11 as well as the allegations contained at paragraphs 15 and 16 of this Indictment are realleged.

7 22. Beginning on a date unknown, but no later than October 2011,
8 and continuing until at least February 2013, within the Southern
9 District of California and elsewhere, defendants HENRY ADDO, aka Amah,
10 aka Amma, aka Armah, EDMUND SESHIE, aka Eddie Bay, and ABDUL REZAK
11 SHAIB, aka Zak, with the intent to defraud, devised and intended to
12 devise a scheme to defraud as to material matters and to obtain money
13 and property by means of materially false and fraudulent pretenses,
14 representations, and promises, and the concealment of material facts.

15 23. The allegations contained at paragraphs 14 through 16 of
16 this Indictment are realleged as more fully describing the scheme.

WIRE TRANSMISSIONS IN FURTHERANCE OF THE SCHEME

18 24. On or about the dates set forth below, defendants
19 transmitted and caused to be transmitted by means of wire and radio
20 communication in interstate and foreign commerce the following
21 writings, signs, signals and sounds, for the purpose of executing the
22 scheme:

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Count	Date	Originator	Recipient	Transmission
3	7/20/2012	HENRY ADDO Accra, Ghana	Team Kia Automobile Dealership - El Cajon, CA	VOIP Phone Call
4	7/20/2012	HENRY ADDO Accra, Ghana	Team Kia Automobile Dealership - El Cajon, CA	Email of Copy of Counterfeit California Driver's License

All in violation of Title 18, United States Code, Sections 1343 and 2.

Counts 5 - 29

18 U.S.C. § 1028A

AGGRAVATED IDENTITY THEFT

25. The allegations contained at paragraphs 1 through 10 of this Indictment are realleged as if fully set forth herein.

26. On or about the dates set forth below, within the Southern District of California and elsewhere, defendant HENRY ADDO, aka Amah, aka Amma, aka Armah, knowingly transferred, possessed, and used, and caused to be transferred, possessed, and used, without lawful authority, a means of identification of another person (listed below by initials only), knowing that the means of identification belonged to another person, during and in relation to a felony violation of Title 18, United States Code, Section 1349, conspiracy to commit mail fraud and wire fraud, all as set forth below:

Count	Date	Individual	Means of Identification
5	10/3/2011	S.M.	Name, date of birth
6	11/29/2011	S.M.	Name, date of birth
7	12/1/2011	S.M.	Name, date of birth
8	12/5/2011	S.M.	Name, date of birth
9	12/6/2011	S.M.	Name, date of birth
10	12/6/2011	C.S.	Name, date of birth
11	12/7/2011	S.M.	Name, date of birth
12	12/8/2011	S.M.	Name, date of birth
13	12/8/2011	S.M.	Name, date of birth

Count	Date	Individual	Means of Identification
14	12/13/2011	S.M.	Name, date of birth
15	12/16/2011	S.M.	Name, date of birth
16	12/19/2011	S.M.	Name, date of birth
17	2/21/2012	M.M.	Name, date of birth
18	5/29/2012	S.V.	Name, date of birth
19	5/30/2012	L.C.	Name, date of birth
20	7/20/2012	D.D.	Name, date of birth
21	7/31/2012	D.D.	Name, date of birth
22	8/1/2012	D.D.	Name, date of birth
23	8/1/2012	D.D.	Name, date of birth
24	8/3/2012	D.D.	Name, date of birth
25	8/3/2012	D.D.	Name, date of birth
26	8/3/2012	D.D.	Name, date of birth
27	8/3/2012	D.D.	Name, date of birth
28	8/8/2012	D.D.	Name, date of birth
29	8/10/2012	D.D.	Name, date of birth

All in violation of Title 18, United States Code, Section 1028A.

FORFEITURE ALLEGATION

The allegations contained in Counts 1 through 4 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c). Upon conviction of the offenses in violation of Title 18, United States Code, Sections 1349, 1341 and 1343 set forth in Counts 1 through 4 of this Indictment, the defendants HENRY ADDO, aka Amah, aka Amma, aka Armah, EDMUND SESHIE, aka Eddie Bay, and ABDUL REZAK SHAIB, aka Zak, shall forfeit to the United States of America any property, real or personal, which constitutes or is derived from proceeds traceable to such violations. The property to be forfeited includes, but is not limited to, a sum of money equal to the total amount of proceeds obtained directly or indirectly as a result of the offenses.

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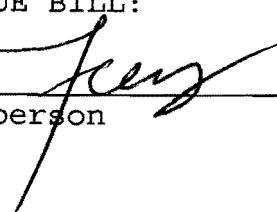
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1 If any of the property described above, as a result of any act or
2 omission of the defendant:

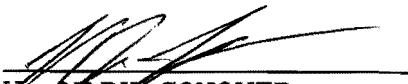
3 a. cannot be located upon the exercise of due diligence;
4 b. has been transferred or sold to, or deposited with, a third
5 party;
6 c. has been placed beyond the jurisdiction of the court;
7 d. has been substantially diminished in value; or
8 e. has been commingled with other property which cannot be
9 divided without difficulty, the United States of America shall be
10 entitled to forfeiture of substitute property pursuant to Title 21,
11 United States Code, Section 853(p), as incorporated by Title 18,
12 United States Code, Section 982(b)(1) and Title 28, United States
13 Code, Section 2461(c), up to the full amount of forfeitable property
14 described above.

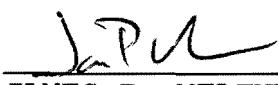
15 All pursuant to Title 18, United States Code, Section 981(a)(1)(C),
16 and Title 28, United States Code, Section 2461(c).

17 DATED: May 23, 2014.

18 A TRUE BILL:
19 _____
20 Foreperson 

21 LAURA E. DUFFY
United States Attorney

22 By: 
23 _____
24 W. MARK CONOVER
25 Assistant U.S. Attorney

26 By: 
27 _____
28 JAMES P. MELENDRES
Assistant U.S. Attorney